

RESPONSE TO THE REJECTIONS

1. Claims 1-6 and 9-16 have been rejected under 35 USC 102(b) as Anticipated by Purton (WO 00/51076).

The cited Purton PCT application has been issued as US Patent No. 6,629,894, with the identical specification. As this publication makes for easier reference, it will be the text discussed in this response.

The rejection has failed to note significant technical and functional differences in the Purton disclosure that prevent the Purton device from the uses to which the claimed discard rack of the present invention are used.

First, Purton discloses a device for the “inspection of cards,” in which an entire set of cards is read and inspected to make certain that the totality of expected cards (e.g., one or more decks) are present in their entirety. To this end, Purton reads all cards provided and moves them in a manner wherein the top card out of the card input area becomes the first card at the bottom of a pile, and the last card out of the card input area becomes the top card in the pile. The order of the cards is reversed after moving through the inspection device. See Figures 1, 2, 3, 5, 6, 7, 14 and 16 for this feature. There is no other mechanism described by Purton for moving cards that would produce any other result. This is consistent with the purposes of Purton as order of cards is unimportant, and only the totality of cards present is being determined.

The claimed discard rack of the present application provides a distinctly different function with different results. The claimed system of Claim 1 requires that:

“...a card collection area that receives cards from the card moving area in the same order as cards are received in the card in-feed area”

This means that the bottom card (or first card) in the in-feed area must be the bottom card (or first card) in the card collection area. This is a literal requirement of the claims that is not taught by Purton and therefore Claim 1 cannot be anticipated.

This is a significant difference that enables a completely different function in the claimed device. The claimed device enables segments of decks to be examined and **verified in their original order** (as opposed to entire decks), including single hands or multiple hands of playing cards from a single round of play of a game (e.g., a round of blackjack), after play or while the game (e.g., additional rounds of play) is still in progress. This is an essential verification and security function in casino table card game security, especially blackjack, where hands may be cleared from the table out of order

(e.g., when there is a blackjack or a player bust and there are multiple players at a table). By reading cards in a separate device in the order the cards dealt to that hand, and then subsequently reading cards collected from the table in the order in which they were removed and dealt, the composition of each hand can be determined. Since the order of cards being read by the discard is essential to the function of determining hand composition, the device of Purton cannot accomplish the same function, because it reverses the order of cards.

The concept of reconstructing hands is not present in the disclosure of a card inspection system of Purton in which a totality of cards (“one or more decks of playing cards,” Abstract) are loaded, and the individual cards are read and verified (without any order necessarily defined, and with the order of the totality of cards reversed).

At a minimum, the rejection must fail because Purton does not teach the recited limitation of “a card collection area that receives cards from the card moving area *in the same order* as cards are received in the card in-feed area,” and therefore Purton does not enable the hand verification function that is an essential desired function of the discard rack of the claimed technology.

The patentability of independent claim 12 and the failure of this rejection with regard to independent claim 12 are identically in error for the same reason. Claim 12 recites:

“...a card collection area that receives cards from the card moving area in the same sense as cards are received in the card in-feed area...”

This limitation requires a step and feature that enables hand composition identification and verification. And which step and feature is absent from the teachings of Purton.

The patentability of claim 13 and the failure of this rejection with regard to independent claim 13 is identically in error for the same reason. Claim 13 recites:

“...moving cards one at a time from a bottom of the set of cards in the in-feed area, reading the suit and rank of each card before the card is deposited into a card collection area, depositing each card in the card collection area in the same order and sense that cards had been fed into the card in-feed area...”

This limitation requires a step and feature that enables simplified hand composition identification and verification. And which step and feature is absent from the teachings of Purton.

2. Claims 7 and 8 have been rejected under 35 USC 103(a) as unpatentable over Purton in view of Breeding (US 2002/0063389).

This rejection must fail for the very reasons that the rejections of claims 1-6 must fail. Purton fails to disclose a recited limitation of claim 1. Even if Breeding has been accurately cited for its teachings of jam recovery, it does not correct the failure of disclosure by Purton of the limitations identified above.

Furthermore, Breeding teaches a shuffling device, not a card verification system. There is no recognition in the art of jam issues with card verification systems.

CONCLUSION

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